

TOWN OF SUTTON
ZONING BOARD OF ADJUSTMENT
Appeal Instructions Checklist

Applicant Name: _____

First, determine if your proposed appeal belongs before the Zoning Board of Adjustment (ZBA). It may come under the jurisdiction of the Planning Board. You can check this by looking at the "Sutton Zoning Ordinance" at the Town Hall. If your request does require a ZBA hearing, please read carefully the explanation of types of appeals (attached) and the following instructions. Your application may be returned or rejected if the required information is not provided.

- _____ Fill out the Application for Appeal **completely**, in pen and ink only, giving **all the details requested**. If request line does not apply, please write N/A (not applicable). Do not leave any lines blank. Attach a check to Town of Sutton.
- _____ Provide property tax map numbers and Registry of Deeds book and page numbers on the application.
- _____ Provide a list of the names and addresses of all abutters and their tax map numbers. This information may be found at the Town Hall.

NOTE: Please ask a town employee to assist you and have them initial your application when submitted. Without this verification, and all information your application will be returned.

With the application you must include

- _____ 1. **Copy of a letter of denial for building permit from the Selectmen's office**
- _____ 2. All other information pertinent to the request not limited to the following:
 - _____ a) Drawings and descriptions **must** be in pen and ink only. Please provide 9(nine) copies of all to the assistant to the ZBA prior to the **1st day** of the month in which you wish to have your hearing.
 - _____ b) Drawings and descriptions **must** indicate clearly where the site is located and what is proposed.
 - _____ c) The drawings, maps or plans **must** be to scale and provide ALL of the following information or the application will be returned by mail
 - _____ 1. Show "for the lot of record" the boundary lines- exact footage on all sides
 - _____ 2. Name of the road the lot fronts on
 - _____ 3. North / South arrow
 - _____ 4. Clearly mark names and tax map numbers of all abutters placed on the proper lot locations around the lot of record (see tax maps)
 - _____ 5. Clearly mark location of water wells (mark with "W"), and septic leach beds (mark with "S") for the lot of record
 - _____ 6. Include all **existing** structures on the lot, clearly indicating their dimensions, height, distance from other structures and from the center line of the road and distance from abutters property line
 - _____ 7. Clearly mark location of any bodies of water, wetlands, culverts or stone walls with distances to existing structures labeled
 - _____ 8. For **proposed** plan, include all of the above **and** a floor plan with dimensions, including height; distance from the center line of the road; distance from other structures on the lot and distance from abutters property line
- 4) _____ **Application Fees:** (check to Town of Sutton and note Zoning Board Application)
 - For an alteration or addition to existing residence or out building - **\$ 50.00**
 - For a new residence or out building, including temporary trailer - **\$ 75.00**
 - For a new business or industry; or alteration or addition to an existing business or industry - **\$100.00**
 - For a PWSF (Personal Wireless Service Facility) - **\$250.00**

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- 5) If you are applying for a **Commercial** use of a property in Sutton please include a letter with your application describing the following about your *commercial* use:
- Hours of operation
 - Plan for parking
 - Number of employees
 - Proposed signage
 - Exterior lighting - locations and hours
 - Increase in traffic due to your business, number of deliveries daily, etc.
 - Plans for expansion
 - Any waste products produced as a result of your commercial activity
- 6) Some helpful definitions:
- If your request violates set back rules it is a Variance; if not then it would be a Special Exception.**
Please answer questions as applicable to your request.

VARIANCE WORKSHEET

1. The variance will not be contrary to the public interest.
 2. The variance is consistent with the spirit of the ordinance
 3. Substantial justice will be done by granting the variance.
 4. The variance will not diminish the value of surrounding properties
 5. Denial of the variance would result in unnecessary hardship to the owner seeking it. (the owner must prove the following to establish unnecessary hardship)
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1. The zoning restriction as applied to the applicant's property interferes with the applicant's reasonable use of the property, considering the unique setting of the property in its environment.
 2. No fair and substantial relationship exists between the general purposes of the zoning ordinance and the specific restrictions on the property
 3. The variance would not injure the public or private rights of others.

SPECIAL EXCEPTION WORKSHEET

No special exception from the requirements of the zoning ordinance shall be authorized by the Board of Adjustment unless it finds that the following facts and conditions exist:

The site is an appropriate location for the use or structure.

The use will not be detrimental, injurious, noxious or offensive to the neighborhood.

There will be no undue nuisance or serious hazard to vehicular or pedestrian traffic.

Adequate and appropriate facilities will be provided to ensure the proper operation of the proposed use or structure.

The proposed use or structure is consistent with the spirit of the ordinance

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- 7) Send the application form, check list, documentation, photo copies and check to:
Assistant to the Sutton Zoning Board
Sutton Town Hall
PO Box 487
North Sutton, NH 03260

Application must be received **prior to or on the first day of the month** in which you wish to have the hearing. If you are submitting large survey plans rather than 8.5” by 11” drawings, please submit enough copies for each ZBA member and the assistant (9). After the hearing date is set, a public notice appears in the Intertown Record newspaper, notices are posted and abutters are notified by certified mail. You will be formally notified by certified letter and will receive a bill for expenses incurred in the process of your application. (i.e.: photo copies, postage) If you have any questions, please contact any ZBA member. Their names and telephone numbers are listed here.

Members of the Zoning Board of Adjustment

- ◆ William Hallahan, Chair
☎ 938-2339
- ◆ Dane Headley
☎ 927-4888
- ◆ Doug Sweet
☎ 927-4756
- ◆ Ed Canane
☎ 927-4013
- ◆ Tom Brooks
☎ 927-4329
- ◆ Andrew Supplee, Alternate
☎ 927-4647
- ◆ Kevin Carr, Alternate
☎ 927-4563
- ◆ Derek Lick, Alternate
☎ 456-6024
- ◆ Christine Nelson, Assistant
☎ 927-4051